

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD FEBRUARY 7, 2000 AT 1:00 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**AGENDA REVIEW**

Board members and staff met in work session to review the agenda package submitted for the meeting.

**TEACHER COMPENSATION TASK FORCE**

Members of the Teacher Compensation Task Force presented recommendations to the Board of Supervisors.

**SERVICE DISTRICT PLAN UPDATE PRIORITIES**

A work session was held to review elements of updating the Comprehensive Plan with regard to service districts, realistic work schedules, staffing resources and constraints, and the need for establishing project priorities.

**CLOSED MEETING**

Mr. Winkelmann moved to go into a closed meeting pursuant to Virginia Code Section 2.1-344(A)(3) for discussion or consideration of condition, acquisition or use of real property for public purposes. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

Upon reconvening from the closed meeting, Mr. Winkelmann moved to adopt the following certification. Mr. Graham seconded.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 7<sup>th</sup> day of February 2000, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

***VOTE:***

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham***

***Nays: None***

***Absent During Vote: None***

***Absent During Meeting: None***

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

**ADOPTION OF THE AGENDA**

Mr. Winkelmann moved to adopt the Agenda subject to accepting a substitute resolution for A Resolution to Amend the Board of Supervisors Legislative Proposals for the 2000 General Assembly and removing this item from the Consent Agenda to the Regular Agenda for discussion and accepting a substitute resolution for A Resolution Directing the Update of the Bealeton, Opal and Remington Service Districts Plans and the Creation of a Master Citizen Planning Committee. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham***

***Nays: None***

*Absent During Vote:*  
*None*

*Abstention: None*

## **CONSENT AGENDA**

Mr. Winkelmann moved to adopt the following Consent Agenda items. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry L.  
Weeks; Mr. Joe  
Winkelmann; Mr.  
Harry Atherton; Ms.  
Sharon McCamy; Mr.  
Raymond Graham*

*Nays: None*

*Absent During Vote:*  
*None*

*Abstention: None*

Approval of the Minutes of the January 18, 2000 Regular Meeting and the January 19, 2000 Adjourned Meeting

A Resolution to Establish Quarterly Public Information Meetings to Allow the General Public to Engage the Board of Supervisors in a Public Discussion of Issues Relating to Fauquier County Government

### **RESOLUTION**

**A RESOLUTION TO ESTABLISH QUARTERLY PUBLIC  
INFORMATION MEETINGS TO ALLOW THE GENERAL  
PUBLIC TO ENGAGE THE BOARD OF SUPERVISORS IN A  
PUBLIC DISCUSSION OF ISSUES RELATING TO  
FAUQUIER COUNTY GOVERNMENT**

WHEREAS, the Fauquier County Board of Supervisors established semi-annual public information meetings in June of 1998 in response to numerous requests from interested members of the public to hold regularly scheduled, open, interactive public meetings to allow citizens to ask

questions and receive answers relating to the policies, procedures and programs of the County government; and

WHEREAS, the Board of Supervisors recognizes that this type of open communication format will enhance the citizens' ability to communicate their concerns and questions relating to County government, as well as providing an interactive forum for the explanation of important public policy and program information by the Board of Supervisors and staff; and

WHEREAS, the Board of Supervisors desires to provide additional opportunities for all citizens of Fauquier County to participate in the Board of Supervisors Public Information Meetings by increasing the frequency of these meetings to quarterly; and

WHEREAS, the Board of Supervisors wishes to increase citizen access to the Board of Supervisors Public Information Meetings by rotating the location of these meetings among the several magisterial districts outside of the Center Magisterial District which is the site of the Board of Supervisors regular meetings; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7th day of February 2000, That the Board hereby directs the County Administrator to schedule and advertise four quarterly Board of Supervisors Public Information Meetings to be held on the second Monday of January, April, July and October each year beginning with the Lee Magisterial District followed by the Cedar Run and Marshall Magisterial Districts to be held between the hours of 7:00 p.m. and 11:00 p.m.; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby express its intent to alter the district rotation schedule by resolution to change the location/district of the Board of Supervisors Public Information Meeting to any district, including the Center Magisterial District, in which an important public policy issue of specific concern to any one magisterial district may be then occurring; and, be it

RESOLVED FURTHER, That the aforesaid public information meetings shall be open to all citizens of Fauquier County and shall conform to the standard Board of Supervisors Public Information Meeting Protocol; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby directs that all County agencies and departments receiving funding from the Board of Supervisors have representatives on hand to answer questions and provide information if called upon to do so by the Board of Supervisors; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby strongly recommend to the Fauquier County School Board that a similar process be established to provide citizens a similar opportunity for the public to engage in interactive dialogue with members of the School Board and School Administration.

A Resolution to Schedule a Joint Public Hearing Between the Town Council for the Town of Warrenton and the Board of Supervisors of Fauquier County to Receive Citizen Comment on a Proposed Boundary Adjustment Agreement

## RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR  
TO SCHEDULE A JOINT PUBLIC HEARING WITH THE  
TOWN COUNCIL FOR THE TOWN OF WARRENTON TO RECEIVE  
CITIZEN COMMENT ON A PROPOSED BOUNDARY ADJUSTMENT  
AGREEMENT BETWEEN THE COUNTY OF FAUQUIER  
AND THE TOWN OF WARRENTON

WHEREAS, the Board of Supervisors of Fauquier County and the Town Council of the Town of Warrenton have entered into discussions on a proposal to adjust the boundaries of the Town of Warrenton; and

WHEREAS, the Board of Supervisors has, by the adoption of this Resolution, determined to receive citizen comment on a proposed agreement to adjust the boundaries of the Town of Warrenton; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 7<sup>th</sup> day of February 2000, That the County Administrator is hereby directed to schedule a joint public hearing between the Board of Supervisors and the Town Council for the Town of Warrenton to receive citizen comment on a proposed boundary adjustment agreement adjusting the hereinafter described properties into the limits of the Town of Warrenton:

PIN Description

1. 6985-61-402315.50 acres
2. 6983-57-778718.62 acres
3. 6985-12-6257 5.70 acres
4. 6984-00-433625.21 acres
5. 6984-00-885315.00 acres
6. 6984-98-038891.86 acres
7. 6984-96-154654.49 acres
8. 6984-85-380910.45 acres
9. 6994-15-4573 (portion of parcel) 101.26 acres
10. 6984-95-26402.00 acres
11. 6984-85-62360.67 acres
12. 6984-85-50421.98 acres
13. 6984-85-61520.58 acres
14. 6984-84-47415.75 acres
15. 6984-84-64031.78 acres
16. 6984-85-41110.62 acres

17. 6984-95-222316.80 acres
18. 6984-85-74910.23 acres
19. 6984-85-82710.24 acres
20. 6984-85-90090.23 acres
21. 6984-85-90120.26 acres
22. 6984-85-82580.24 acres
23. 6984-84-42232.98 acres
24. 6984-84-30850.98 acres
25. 6984-83-29930.93 acres
26. 6984-83-41769.81 acres
27. 6984-93-277578.0 acres
28. 6984-92-645427.73 acres
29. 6984-91-7890 1.33 acres
30. 6984-91-76520.82 acres
31. 6984-91-96200.89 acres
32. 6994-03-26885.81 acres
33. 6994-02-12582.00 acres
34. 6994-01-09952.24 acres
35. 6994-16-29184.59 acres
36. 6994-07-81680.62 acres
37. 6994-06-49913.21 acres
38. 6984-85-83340.24 acres

and, be it

RESOLVED FURTHER That such public hearing shall be advertised for the date set by the Town Council for the Town of Warrenton, provided that the said date shall be either March 7, 8, 13 or 15<sup>th</sup> in the Fauquier High School Cafeteria at 7:00 PM.

A Resolution to Schedule a Public Hearing to Consider Authorizing the Rappahannock-Rapidan Regional Commission to Prepare and Submit a Virginia Community Development Block Grant Proposal for the Fletcherville Sewer Service Planning Project

#### RESOLUTION

A RESOLUTION TO SCHEDULE A PUBLIC HEARING TO CONSIDER AUTHORIZING THE RAPPAHANNOCK-RAPIDAN REGIONAL COMMISSION TO PREPARE AND SUBMIT A VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT PROPOSAL FOR THE FLETCHERVILLE SEWER SERVICE PLANNING PROJECT

WHEREAS, Fauquier County, Virginia, seeks to improve the quality of life for its citizens; and

WHEREAS, the Virginia Department of Health has identified the Fletcherville area as a priority area for the construction of sewer system due to the concentration of septic systems directly upstream from the Town of Warrenton's water supply that have reached their life expectancy and the possibilities of repair; and

WHEREAS, the County wishes to apply for Virginia Community Development Block Grant Construct Grant

funds to study the utility problems and related housing deficiencies in these communities; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That the Board of Supervisors does hereby authorize the County Administrator to schedule a public hearing to consider authorizing the Rappahannock-Rapidan Regional Commission to prepare and submit a Virginia Community Development Block Grant Proposal for the Fletcherville Sewer Service Planning Project.

A Resolution to Schedule an Adjourned Meeting of the Fauquier County Board of Supervisors in Richmond, Virginia for February 9 to Meet in Work Session to Establish the Top Ten Priorities and February 10 to Attend the VACo/VML legislative Day

#### RESOLUTION

A RESOLUTION TO SCHEDULE AN ADJOURNED MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS IN RICHMOND, VIRGINIA FOR FEBRUARY 9 TO MEET IN WORK SESSION TO ESTABLISH THE TOP TEN PRIORITIES AND FEBRUARY 10 TO ATTEND THE VACo/VML LEGISLATIVE DAY

Be It Resolved by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That the Board of Supervisors does hereby authorize scheduling of an adjourned meeting in Richmond, Virginia for February 9 to meet in work session to establish the top ten priorities and February 10 to attend the VACo/VML Legislative Day.

A Resolution to Establish the Procedures and Protocols Relating to the Acquisition of Property for Sports Fields

#### RESOLUTION

A RESOLUTION TO ESTABLISH THE PROCEDURES  
AND PROTOCOLS RELATING TO THE ACQUISITION  
OF PROPERTY FOR THE SPORTS FIELDS PROJECT

WHEREAS, the Board of Supervisors on July 6, 1999, in recognition of the shortage of recreational facilities/sports fields identified by the Sports Fields Study Group, the Parks and Recreation Board and the public, authorized the expenditure of up to \$3,500,000 for the purpose of land acquisition and certain infrastructure improvements required to establish three sports field complexes to serve the youth of Fauquier County; and

WHEREAS, the Board of Supervisors charged the Parks and Recreation Board with responsibility for the development of a plan for the use of these funds; and

WHEREAS, The Parks and Recreation Board submitted its recommended plan relating to the acquisition of property to the Finance Committee on January 18, 2000; and

WHEREAS, the Finance Committee presented its recommendations to the Board of Supervisors

at a work session on January 18, 2000; and

WHEREAS, the Board of Supervisors directed that the recommendations of the Finance Committee concerning the land acquisition phase of the sports fields project be brought forward to the Board of Supervisors for formal consideration at its February 7, 2000 meeting; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That the Board of Supervisors does hereby approve the following procedures and protocols relating to the land acquisition phase of the sports fields project:

- The Parks and Recreation Board shall submit its site recommendations and recommended priority listing for each region to the Board of Supervisors.
- The Board of Supervisors does hereby appoint a Sports Fields Land Acquisition Project Team consisting of team leader Supervisor Ray Graham, County Attorney Paul McCulla, Deputy County Administrator Randy Wheeler and Parks and Recreation Director Larry Miller for the purpose of carrying out the Board of Supervisors' directives relating to the acquisition of property.
- The Board of Supervisors shall provide general and site-specific comments and provide direction to the Project Team.
- The Project Team shall submit the top site as identified by the Board of Supervisors in each region to a professional third party appraiser for a full appraisal.
- The Project Team shall negotiate with the owner of the top site in each area and if unable to reach agreement, proceed down the site priority list for each region until agreement is reached.
- The Project Team shall submit to the Board of Supervisors its final land acquisition recommendation for each region.
- The Board of Supervisors, upon recommendation of the Project Team, shall accept or reject the land acquisition recommendations of the Project Team and if the Board rejects a site, shall direct the Project Team to continue negotiations with the owner of the next site on the priority list.
- Once the Board of Supervisors has approved the acquisition of a site, the Project Team is authorized to take all actions necessary to acquire the agreed upon site.

A Resolution to Authorize the Chairman to Sign a Letter to the Fauquier County School Board Regarding Transfer of Title to the Central Elementary School Property

## RESOLUTION

### A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF



SUPERVISORS TO SIGN A LETTER TO THE FAUQUIER County SCHOOL  
BOARD REQUESTING TO MOVE FORWARD WITH TRANSFER OF TITLE  
TO CENTRAL ELEMENTARY SCHOOL

WHEREAS, the Fauquier County Board of Supervisors requested, in a letter dated September 7, 1999 that the Fauquier County School Board honor the informal agreement for re-use of Central Elementary School after the completion of the construction of Brumfield School; and

WHEREAS, the Fauquier County School Board approved a motion on October 11, 1999 where the Board agreed to convey fee simple title to the Board of Supervisors for buildings only, subject to three conditions; and

WHEREAS, the Fauquier County Board of Supervisors wishes to move forward with the fee simple conveyance of Central Elementary School and wants to clarify its position with regard to the three conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7th day of February 2000, That the Board of Supervisors approves and hereby authorizes the Chairman to sign a letter requesting the School Board to move forward with the transfer of title to Central Elementary School.

A Resolution to Initiate a Zoning Ordinance Text Amendment to Article 9, Part 9, 9-1000 Outdoor Light Control for Sports Fields

RESOLUTION

A RESOLUTION REQUESTING THE PLANNING COMMISSION TO PREPARE

ZONING ORDINANCE TEXT AMENDMENT REGARDING SPORTS FIELD

LIGHTING TO ARTICLE 9, PART 9, 9-1000 OUTDOOR LIGHT CONTROL

WHEREAS, the Fauquier County Board of Supervisors adopted Article 9, Part 9, 9-1000 entitled Outdoor Light Control of the Zoning Ordinance on January 18, 2000; and

WHEREAS, at adoption, it was indicated that more detailed lighting standards and guidelines were needed for sports fields, for example, including controls for overall brightness, direction, and protection of adjoining properties and roadways from glare; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That the Planning Commission prepare a Zoning Ordinance Text Amendment to Section 9-1000 Outdoor Light Control to include more specific standards and guidelines for sports field lighting.

**SPECIAL EXCEPTION – PATRICIA ANN AND DR. ELOY ARENDS, OWNERS, AND JEFFREY LIPPINCOTT/ISLANDS, LLC, APPLICANT**

A public hearing was held at the January 18, 2000 meeting to consider a request for special exception approval from Patricia Ann and Dr. Eloy Arends, Owners, and Jeffrey Lippincott/Islands, LLC, Applicant, to waive the requirement for public sewer on property

located on Atlee Road (Route 674) PIN #6969-98-3167-000, Center District. Mr. Winkelmann moved to adopt the following resolution. Mr. Atherton seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry L.  
Weeks; Mr. Joe  
Winkelmann; Mr.  
Harry Atherton; Ms.  
Sharon McCamy; Mr.  
Raymond Graham*

*Nays: None*

*Absent During Vote:  
None*

*Abstention: None*

## RESOLUTION

### A RESOLUTION TO APPROVE SPECIAL EXCEPTION

#### REQUEST #SE99-C-45 WHISPERWOOD SUBDIVISION, SECTION II

WHEREAS, Jeffrey D. Lippincott/Islands, LLC, applicant, is requesting special exception approval to waive the requirement for public sewer within the Warrenton Service District under Section 7-502 of the Zoning Ordinance; and

WHEREAS, the special exception application of Jeffrey D. Lippincott/Islands, LLC has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has filed a staff report, all indicating compliance with the general standards for special exceptions as set forth in Article 5 of the Zoning Ordinance and in conformance with Section 7-502 of the Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on December 16, 1999, on this special exception request and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That Special Exception #SE99-C-45, Whisperwood Subdivision, Phase II (PIN #6994-48-3480-0000) be, and is hereby, approved subject to the following condition:

- The applicant will reserve the additional right-of-way for Route 674, which abuts the Whisperwood Subdivision for a period of two (2) years. If the roadway is not completed by the Virginia Department of Transportation (VDOT) within this two (2) year period, the right-of-way reservation will revert to the applicant.

**A RESOLUTION DIRECTING THE UPDATE OF THE BEALETON, OPAL AND REMINGTON SERVICE DISTRICT PLANS AND THE CREATION OF A MASTER CITIZEN PLANNING COMMITTEE**

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham*

*Nays: None*

*Absent During Vote: None*

*Abstention: None*

**RESOLUTION**

**A RESOLUTION DIRECTING THE UPDATE OF THE BEALETON,  
OPAL AND REMINGTON SERVICE DISTRICT PLANS**

WHEREAS, the Comprehensive Plan of Fauquier County defines the Bealeton, Opal, and Remington Service Districts in Chapter 6-Service Districts, in terms of its boundaries, land uses and densities, Chapter 9-Public Facilities & Utilities, and in Chapter 10-Transportation, for the road network and associated transportation features; and

WHEREAS, on January 16, 1996, the Fauquier County Board of Supervisors amended the Comprehensive Plan by revising the population projections and allocations represented in Tables 3.17, 3.18, and 3.19, which included these three districts; and

WHEREAS, the Fauquier County Board of Supervisors' Resolution of March 16, 1999, established the review and redesign of the Opal Service District as one of the top ten priorities for calendar year 1999; and

WHEREAS, the Lee District Supervisor will appoint a Master Citizen Planning Committee, including the Lee District Planning Commissioner and designated Board of Zoning Appeals member. Citizen appointments will have varying backgrounds, development interests, operate a business, be a property owner or resident in the designated service districts; and

WHEREAS, the Sub-Committees for Bealeton, Opal and Remington, which form the Master Citizen Planning Committee, will be appointed by March 6, 2000; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7<sup>th</sup> day of February 2000, That the Master Citizen Planning Committee be, and is hereby, established for the update of the Bealeton, Opal and Remington Service District Plans, and shall meet as the official planning committee for purposes of coordination, meetings and presentations; and, be it

RESOLVED FURTHER, That the Lee District Supervisor shall appoint a Citizen Planning Committee of up to 25 members, which shall include the Lee District Planning Commissioner and Board of Zoning Appeals member; and, be it

RESOLVED FURTHER, That the Citizen Planning Committee is responsible for preparing its updated Service District Plan for coordination and inclusion in the overall planning process; and, be it

RESOLVED FURTHER, That the County Administrator shall provide the required planning staff and clerical support in addition to the public meeting facilities to the Committee to facilitate the development of the revised Service District Plans for Bealeton, Opal and Remington; and, be it

RESOLVED FINALLY, That it is the intent of the Fauquier County Board of Supervisors to conduct a public hearing on these updated plans in sufficient time to incorporate the changes into the Comprehensive Plan by the end of 2002.

**A RESOLUTION TO EXPAND THE COMPOSITION OF THE ECONOMIC DEVELOPMENT ADVISORY COUNCIL AND DESIGNATE THE DEPUTY COUNTY ADMINISTRATOR AS THE COUNTY ADMINISTRATION REPRESENTATIVE**

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry L.  
Weeks; Mr. Joe  
Winkelmann; Mr.  
Harry Atherton; Ms.  
Sharon McCamy; Mr.  
Raymond Graham*

*Nays: None*

*Absent During Vote:  
None*

*Abstention: None*

**RESOLUTION**

**A RESOLUTION TO EXPAND THE COMPOSITION OF THE ECONOMIC DEVELOPMENT  
ADVISORY COUNCIL AND DESIGNATE THE DEPUTY COUNTY ADMINISTRATOR AS THE  
COUNTY ADMINISTRATION REPRESENTATIVE**

WHEREAS, the Board of Supervisors is committed to establishing an enhanced economic development program for Fauquier County; and

WHEREAS, the Board of Supervisors on June 7, 1999 approved the first year implementation plan and Economic Development Strategic Plan planning outline; and

WHEREAS, the Board of Supervisors recognizes the essential benefit of community-wide participation in the development and implementation of the Economic Development Plan; and

WHEREAS, the Board of Supervisors established the composition of the Economic Development Advisory Council on September 7, 1999; and

WHEREAS, the Chairman of the Economic Development Advisory Council has determined that the composition of the Economic Development Advisory Council should be expanded to include the addition of an at-large Fauquier Retail representative; and

WHEREAS, the Chairman of the Economic Development Advisory Council has determined that the composition should be amended to reflect the substitution of the Deputy County Administrator, as a non-voting member, for the County Administrator consistent with the Board of Supervisors approved reorganization plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 7th day of February 2000, That the Board of Supervisors does hereby amend the composition of the Economic Development Advisory Council as follows:

- Board of Supervisors Representative
- Chairman of the IDA
- Deputy County Administrator
- Chamber of Commerce, Designee
- Agricultural Advisory Committee, Designee
- Marshall Business & Residents Association, Designee
- Southern Fauquier Business Owners Association, 2 Designees
- The Plains Business & Professional Association, Designee
- Partnership for Warrenton, Designee
- Vint Hill EDA, Designee
- Town of Warrenton, Designee
- Executive Director of PD-9

- At large seats (5):

Technology

Manufacturing

Retail/Service Industry

Education

Fauquier Retail

and; be it

RESOLVED FURTHER, That the Board of Supervisors does hereby appoint David C. Mangum to the at-large position representing Fauquier Retail.

**A RESOLUTION TO AMEND THE BOARD OF SUPERVISORS LEGISLATIVE PROPOSALS FOR THE 2000 GENERAL ASSEMBLY**

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

*Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham*

*Nays: None*

*Absent During Vote: None*

*Abstention: None*

Resolution

A Resolution to AMEND the board of supervisors

legislative proposals for the 2000 general assembly

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 2000 VACo Legislative Program; and

WHEREAS, the County's interests can be proposed with united support of other localities if contained in the VACo Legislative Program; now, therefore, be it

Resolved by the Fauquier County Board of Supervisors this 7th day of February 2000, That the following items be, and they are hereby, adopted as the County's legislative issues for consideration by the 2000 General Assembly.

**TAX ISSUES:**

**Business Facility Job Tax Credit** – Fauquier County strongly supports this legislation in the form it was introduced by Delegate Joe May during the 1999 General Assembly Session. This bill would provide that localities which have businesses qualifying for the business facility job tax credit would receive from the state a 20 percent rebate of the personal income tax earned as a result of the jobs created by the qualifying businesses. The rebate will be paid to the locality in which the employee resides.

**Revenue Sharing** - Fauquier County strongly supports any legislative proposal that would result in the State sharing a portion of its income tax revenues with localities (provided that the legislation calls for more than the replacement of existing local revenue sources) and provides at least some local flexibility in determining how it should be used.

**Cost of Competing** - Fauquier County respectfully requests those State legislators representing Fauquier County introduce legislation to incorporate Fauquier County into the Cost of Competing School Funding Formula. All political subdivisions having public school systems located in Planning District 8, the Northern Virginia Planning District Commission, receive Cost of Competing funds specifically ear-marked for teacher compensation. Several years ago, the General Assembly authorized Fauquier County's membership in Planning District 8. For Fauquier County to recruit and retain highly qualified public school division teachers, Fauquier County must be able to compensate teachers comparable to our Northern Virginia neighbors.

**Northern Virginia Differential for State Employees** - The Commonwealth of Virginia pays state employees working in Northern Virginia, defined as the Northern Virginia Planning District Commission, a supplement on the base state compensation. This supplement is often referred to as the Northern Virginia Differential. Health Department, Cooperative Extension and State Police employees working in the adjacent communities of Prince William and Loudoun Counties receive the Northern Virginia Differential. Unless and until the Northern Virginia Differential is extended to Fauquier County, our community will remain at risk of losing highly qualified state employees to our neighboring jurisdictions.

**School Operations Funding** - Fauquier County supports legislation that establishes a floor for state funding of school

budgets. To avoid unintentionally "enriching the already rich", the floor would apply to statewide average per-capita, per-student or base-line year levels of expenditures for education. This proposal does not alter or modify the existing composite index, but rather targets jurisdictions like Fauquier County that experience unusual reductions in state aid to education due to unusual demographic phenomenon.

As an alternative, Fauquier County requests support and assistance in working with the appropriate state officials in examining the mechanics of the composite index with the goal of altering same to more equitably reflect Fauquier's true "ability to pay".

Additionally, Fauquier County supports the full funding of the State's share of the Standard's of Quality and full funding of any categorical educational mandates including pay raises.

Fauquier County supports school divisions providing detailed information on their budgets prior to their budget public hearing and supports school divisions being subject to the same publication and notice of public hearing requirements as local governments.

**School Construction Funding** - Fauquier County supports the continuation and increased funding of the School Construction Funding legislation. Fauquier County further supports modification of the distribution formula that would amend the provision that the "balance of funds distributed to each school division {shall be} based upon its relative share of average daily membership adjusted by its composite index" through the removal of "adjusted by its composite index."

**Impact Fees for School Construction** - Fauquier County continues to support legislation that would allow localities the option to assess impact fees for School Construction in lieu of voluntary cash proffers for School Construction.

**School Technology Funding** - Fauquier County supports the full funding of the State's portion of the Standards of Learning relating to instructional technology.

**Integration of Use-Value Taxation into the Composite Index Calculation** - Fauquier County supports the amendment of the composite index formula to consider the fiscal impact of use-value taxation. The composite index should use the value that real property is taxed on rather than the fair market value. The



proposal may also benefit urban communities that freeze assessed values for taxation purposes as an inducement for property owners in designated zones to rehabilitate their properties.

**Land Use Value Assessments** - Fauquier County supports legislation that would authorize local governments in the Commonwealth of Virginia to determine minimum acreage requirements exceeding state minimum regulation for Land Use Value Assessments for Agricultural, Horticultural, or Forestal Real Estate.

**Consideration of a Hold Harmless Provision Concerning Local Real Estate Revenues Lost Through Voluntary Local Participation in the State Sponsored Use Value Taxation Program**- Fauquier County supports legislation which would reimburse localities for the amount of annual real estate tax revenues lost through the voluntary participation of localities in the State sponsored Land Use Taxation Program.

#### **LAND USE PLANNING ISSUES:**

**Conditional Zoning** - Fauquier County respectfully requests that the General Assembly delegation representing Fauquier County introduce in both the Senate and the House the language of 1997 House Bill No. 2657 relating to conditional zoning. The Northern Virginia communities enjoy a much more flexible and productive form of conditional zoning authorization than Fauquier County presently has.

**Comprehensive Plans** - Fauquier County supports legislation that would require state agencies to give consideration to local comprehensive plans.

**Local Authority Issuance of Permits** - Fauquier County opposes any legislation, which would limit local authority relating to the issuance of special exceptions and special use permits.

**Adequate Public Facilities** - Fauquier County supports Adequate Public Facilities legislation which would permit high growth localities, as part of their subdivision or zoning ordinance, to determine whether public facilities are adequate to support the services which will be required by the proposed subdivision or rezoning.

**Developer Reimbursements** - Fauquier County supports legislation that would allow localities to require subsequent developers to reimburse initial developers on a pro rata basis, for off-site improvements provided by initial developers.

**Takings** - Fauquier County opposes any change in the existing eminent domain laws of the Commonwealth of Virginia or legislative expansion of the now existing property rights for which landowners must be compensated when such rights are affected by ordinance, regulation, legislation or other action taken by any county, city or town within this Commonwealth.

**Vested Property Rights** - Fauquier County opposes any legislation expanding the vested property rights of owners of land in the areas of zoning, subdivision and site plans beyond the law of vested rights existing within the Commonwealth of Virginia on July 1, 1993. In addition, Fauquier County supports the amendment of SB570 which became law July 1, 1998 that would clarify that actions taken by local government that would be considered as granting a vested right under SB570 be considered as granting that "right" only if the action was taken by the local government after the adoption of the legislation.

**Manufactured Housing** - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments as it pertains to manufactured housing.

**Shared Land Use Data** - Fauquier County supports efforts of the General Assembly to promote shared land use data and Geographic Information System (GIS) technology among state agencies, PDC's and localities.

**Cost of Growth** - Fauquier County supports the Virginia Association of Counties Region 7 initiative to develop equitable programs to address the pernicious problem of accelerated government costs associated with significant population growth.

#### **SOLID WASTE/RECYCLING ISSUES:**

**Markets for Recyclables** - Fauquier County requests the state to take an active role in developing markets for recyclables.

**Deposit on Beverage Containers** - Fauquier County supports legislation that would establish a deposit on beverage containers.

**Non-biodegradable Containers** - Fauquier County supports legislation to prohibit the use of non-biodegradable containers whenever safe, degradable alternatives are viable.

**LOCAL GOVERNMENT ENABLING & SELF DETERMINATION ISSUES:**

**Courthouse Relocation** - A Virginia Attorney General's opinion suggests that a referendum is required for any relocation of the Circuit Courthouse. Fauquier County requests legislation that would permit relocation of the Courthouse, without referendum, within one mile of the existing Courthouse location.

**Increased Local Authority** - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. The relaxation of the Dillon Rule should not, however, be accompanied by a shift of responsibility for various programs from the state government to local government.

**Funding of State Mandated Laws** - Fauquier County supports legislation to mandate state funding of state laws requiring local appropriations. Further, Fauquier County requests that the General Assembly place a sunset or reexamination requirement for all legislation adversely impacting local government. Periodic examination of legislation pertaining to mandates and state imposed requirements on local governments is essential to assure that state government officials understand the implications of state mandates on local governments.

**PUBLIC SAFETY ISSUES:**

**Alternatives to Incarceration for Non-Violent Offenders** - Fauquier County exhorts the Commonwealth of Virginia to investigate safe, cost-effective alternatives to incarceration for non-violent offenders in order to reduce state and local jail overcrowding.

**Block Grant Funding for Correctional Facilities** - Fauquier County supports legislation which requires money appropriated for payment of operational costs for local correctional facilities to be paid in a single block grant to the localities on the first day of the fiscal year for which the appropriations or apportionments are made.

**State Pays for Housing State Prisoners** - Fauquier County supports increase in what state pays for housing state prisoners

in local jails based on state analysis of actual costs incurred by local governments.

#### **HUMAN SERVICES:**

**Comprehensive Services Act** - Fauquier County opposes any change in the funding formula for the Comprehensive Services Act, which would mandate an increase in the current local match rate of 45%.

Fauquier County supports adequate State funding to cover both mandated and court-ordered placement of children and cover local costs for administering the Comprehensive Services Act.

#### **LIBRARY SERVICES:**

**Full Funding of the State Aid Formula for Public Libraries** - Fauquier County supports legislation that will fully fund the state aid formula for public libraries.

**Funding of Public Library Technology Plan** - Fauquier County supports legislation that will fund the Library of Virginia public library technology plan "Infopowering the Commonwealth."

#### **PARKS AND RECREATION:**

**State Designation of Monroe Park** - Fauquier County supports the designation of the Monroe Park Gold Mining Camp as the official state gold mining interpretive center for the state.

**Inclusion of Monroe Park in Any Upcoming State Cultural Bond Issue** - Fauquier County requests the inclusion of the gold mining camp in any cultural facilities bond legislation that may be proposed.

**Background Checks** - Fauquier County supports the implementation of the national background check program that was passed by the federal government in October 1998

**Penalties for Weapon Possession in Recreational Facilities** - Fauquier County supports stiffer penalties for possession of weapons in public parks and community centers.

**Proffer Authority for Parks and Recreation Facilities** - Fauquier County supports the expansion of local government proffer authority to include adequate recreational facilities needed to serve new residential growth.

Fauquier County endorses the legislative priorities for the 2000 General Assembly Session of the Virginia League of Social Services Executives as revised November 11, 1999.

Fauquier County supports the request of the Virginia Association of Resource Conservation and Development Councils for additional state money to support the Virginia State Parks System.

Fauquier County supports the request of the Conservation Land Coalition request for the establishment of a dedicated and adequate state funding source to provide matching funds for localities to assist with the purchase of conservation easements and other land conservation needs.

Fauquier County supports legislation to permits localities to require, by ordinance, that an owner, occupant or other person in control of property remove or dispose of trash, garbage, refuse, litter and other like substances which might endanger the health and safety of others including the ability to require that grass, weeds, and other foreign growth be cut. - County Administration is the amendment sponsor.

Fauquier County supports legislation that would prohibit operation of any truck or tractor truck/semitrailer combination on U.S. Route 17 in Fauquier County between U.S. Route 50 and Interstate 66, except for local deliveries. - The Transportation Committee is the amendment sponsor.

Fauquier County urges the General Assembly to endeavor to address Virginia's growing transportation needs for roads and mass transit improvements. If necessary, increases in the state fuels tax should be considered while exercising caution in funding transportation improvements from sources other than traditional user fees. - Supervisor Joe Winkelmann is the amendment sponsor upon recommendation from VACO Region 7 so as to allow its inclusion as part of the VACO Region 7 Legislative Program.

Fauquier County strongly supports the continuation of the Rappahannock River Basin commission and its shared state-local funding program. The Board also urges the General Assembly to assure adequate funding for the Water Quality Improvement Fund in order to successfully implement the Rappahannock Tributary Strategy and the Board also supports efforts by the Commonwealth to work with the basin's localities to plan for

the future water supply needs for the basin. Supervisor Joe Winkelmann is the amendment sponsor upon recommendation from VACO Region 7 so as to allow its inclusion as part of the VACO Region 7 Legislative Program.

Fauquier County supports increased state funding for the Department of Historic Resources. – County Administration is the amendment sponsor.

Fauquier County supports state funding for the expansion of the Virginia Birding Trail, which would link wildlife viewing sites using existing highways to showcase Virginia's wildlife year-round. County Administration is the amendment sponsor upon recommendation of Mrs. Paddy Katzen.

Fauquier County opposes any measure that would eliminate or reduce any local government revenue authority. County Administration is the amendment sponsor.

Fauquier County opposes House Bill 1418 and any other legislation which prohibits or restricts the local regulation of the promotion and marketing of alcoholic beverages as an unwarranted intrusion into the authority of local governments to regulate commercial uses and activities in commercial and other zoning districts. Supervisor Larry Weeks is the amendment sponsor.

Fauquier County opposes House Bill 590 and any other legislation which a) seeks to restrict the authority of public bodies to acquire or designate property for use as open space; or b) which requires that conservation easements purchased by localities include a provision that the public will be allowed to access the land that is the subject of the easement for the duration of the easement or c) places additional conditions on a locality's ability to acquire interests in title to property for means of preservation or provision of open space lands. Supervisor Harry Atherton is the amendment sponsor.

Fauquier County supports the budget amendment patroned by Senator Kevin G. Miller to provide \$500,000 in each year of the biennium from the state general fund to expand the availability of mediation services through contracts with community mediation centers and private providers. Supervisor Sharon McCamy is the amendment sponsor.

Fauquier County supports the budget amendment patroned by Senator Kevin G. Miller to provide \$500,000 in each year of the

biennium from the state general fund for mediation services to be administered by the Institute for Environmental Negotiation at the University of Virginia. The amendment specifies that \$50,000 each year will be provided to each of the eight community mediation centers in Charlottesville, Fairfax, Fredericksburg, Harrisonburg, Norfolk, Richmond, Roanoke, and Warrenton. Of the remaining funds, \$50,000 each year will be provided for start-up expenses for one or more additional community mediation centers in under-served regions of the Commonwealth, as determined by the Institute for Environmental Negotiation and \$50,000 each year shall be retained by the Institute for Environmental Negotiation for the coordination of data collection and evaluation, and to provide training, consultation and technical assistance. Supervisor Sharon McCamy is the amendment sponsor.

## **APPOINTMENTS**

By unanimous consent, the following appointments were approved:

### **Agricultural Advisory Committee**

James Blythe Lee District

Jim Rowe Equine Advisor

Leslie Grayson Natural Beef Production

### **Armory Board**

Harvey Pearson Marshall District

Fred Wayland Marshall District

### **Board of Building Appeals**

Philip Blankenship Lee District – Electrical Contractor

### **Parks and Recreation**

George Muschamp Lee District

### **Catlett/Calverton Service District Citizen Committee**

Hughie William Armstrong, Jr.

Arabelle Arrington

John Bell

David A. Botts

Bill Brakefield

James, Jr. and Mae Craun

Kay Craun Day

Edwin Gulick

Carolyn Hartman

Clyde Lomax

Charlotte Flohr

Henry Neimeier

Thomas O. Nutt, Jr.

Pastor Jesse Jones, Jr.

George Parsley

Mark Rohrbaugh

William Edwin Russell

Edwin M. Trenis, Jr.

Douglas C. Trumbo

Eddie Whitman

David Burton, Jr.

### **TEACHER COMPENSATION TASK FORCE RECOGNITION**

Don Rose, representing the Teacher Compensation Task Force, gave a brief summary of the Task Force Report. Ms. McCamy and Gary Maloche presented certificates of appreciation to members of the Task Force.

### **SUPERVISORS TIME**

- Mr. Atherton said that he would write a letter on behalf of the Route 50 Traffic Calming



Task Force to the Commonwealth Transportation Board supporting the Task Force's position on selection of an engineer for improvements to Route 50. He asked for written Board support in the future in support of this position.

- Ms. McCamy asked Mr. Lee to give the public a brief synopsis of how the priorities work session planned for February 9 will work.
- Mr. Graham said that he felt the Board of Supervisors should consider holding the priorities work session in the County so that more citizens could attend.
- Mr. Weeks gave Board members several suggested procedures on how he felt the budget process should work. He said that (1) if any supervisor wants an increase in certain budget items, then a comparable decrease should be identified; (2) only a supervisor could sponsor a mark-up or mark-down; and (3) work sessions should be held after meeting with the School Board and Constitutional Officers. Board members agreed that the County Administrator should implement these procedures.
- Mr. Lee presented his FY 2001 budget to members of the Board of Supervisors.

With no further business, the meeting was adjourned to reconvene at 10:00 a.m. on Wednesday, February 9, 2000, in Richmond, Virginia.